REMARKS/ARGUMENTS

PLEASE CHARGE ANY FEES DUE OR CREDIT ANY OVERPAYMENTS DURING PROSECUTION OF THE APPLICATION TO DEPOSIT ACCOUNT 50-0893.

Status of the Claims

Claims 1-10 and 12-26 are pending and stand rejected. Claims 1-6, 8-10, 12-22, and 27-32 remain in this application. Claims 1, 3, 4, 8, 16-18, and 21 were amended, claims 7, 11, and 23-26 have been canceled and new claims 27-32 have been added as indicated herein. These amendments are made without prejudice and are not to be construed as abandonment of the previously claimed subject matter or agreement with the Examiner's position.

Applicant reaffirms the arguments made to the examiner's previous rejection and his previous transversals regarding previously cited art.

In the present Office Action, claims 1-10 and 12-26 are rejected under 35 U.S.C. 103 in light of Vaios combined with other art that has been previously addressed. Claims 21-26 are rejected under 102(e) in light of Acosta.

The Claimed Invention

The present invention involves surveillance systems using information processing technologies. As the Examiner has recognized, there is a large amount of art in the general field of image processing and/or providing by computer systems. The present invention, however, is directed to a novel architecture and/or method for surveillance using such systems and in particular for making determinations that images are of interest for surveillance purposes by performing image analysis. The claims as amended herein thus involve surveillance aspects of the invention, in particular using an information system (e.g., a camera coordinator) in a surveillance system to receive camera data from multiple cameras so as to determine an event or images of interest. The amendments made herein are in the interest of aiding the present prosecution and shall not be construed as precluding applicant's pursuance of other claims in a later filed continuation application.

In contrast to the art cited by the Examiner, the present invention uses image analysis, in particular from multiple digital cameras, for determining whether an incident has occurred. In further embodiments, multiple cameras are associated with different camera coordinators for initial image analysis to determine if an incident has occurred.

United States Patent N° 6,271,752 B2 (Vaios)

In the present office action, the Examiner again relies on Vaios. Nothing in Vaios suggests using an information system to determine if an incident has occurred by analyzing image data, as recited in originally filed independent claims 1, 16 and 17. Furthermore, nothing in Vaios suggests using an information system to determine if an image is of interest by analyzing image data from multiple cameras and/or using a rules set for image analysis as presented in amended claims. Furthermore, Vaios teaches away from the claimed invention in that **Vaios teaches that determining camera video output that is of interest is accomplished by a motion sensor**, rather than by any image analysis. The claimed invention, in contrast, is directed to analyzing images, including analyzing images from multiple cameras, to determine when image data is of interest.

United States Patent N° 6,144,772 (Garland)

Applicant traverses the examiner's rejections based on Garland and the examiner's interpretation of Garland. Garland discusses encoding an method for **a single digitized image**, particularly encoding different regions at different levels of image quality (Col. 1: line 6-7). **The "differential" frames discussed in Garland do not refer to differences between two frames taken at different times but instead refer to differences between a lossy compressed frame and an original frame.** These differentials are used to encode some regions with higher quality (Col. 6: lines 28-59; and col. 8, lines 6-52). The example discussed and illustrated in Garland is encoding different regions of a single X-ray image of a human hand. Those embodiments of the present invention that refer to a differential frame refer to differential frames indicating images taken at different times.

There is no motivation to combine any of the techniques of Garland with the video surveillance system discussed in Vaios. Furthermore, Garland and Vaios together do

not include or suggest all of the elements of any of the amended independent claims as discussed above.

For example, Garland and Vaios together do not teach or suggest the claim 1 element "at said camera coordinator, determining, using said digital image data set sequences, whether an incident is associated with one or more frames in said sequence and/or one or more cameras"

United States Patent N° 6,271,752 B2 (Acosta)

Acosta generally describes a system for viewing images on an information network. However, Acosta does not discuss or suggest analyzing images from one or multiple cameras to determine if an event has occurred or an image or image sequence is of interest. Thus, the current claims are not anticipated by Acosta.

Response to Obviousness Arguments

Applicants traverse rejections made on the basis of the combinations of Vaios with Garland and/or Cronin. Citing references that merely indicate that isolated elements and/or features recited in the claims are known is not a sufficient basis for concluding that the combination of claimed elements would have been obvious. Ex parte Hiyamizu 10 USPQ2d 1393 (PBAI 1988). Such combination of known elements is not obvious absent evidence of a motivating force which would impel persons skilled in the art to do what Applicant has done. Ex parte Levengood 28 USPQ2d 1300 (BPAI 1993). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. In re Geiger 2 USPQ2d 1276 (CAFC 1987); In re Fine 5 USPQ2d 1596 (CAFC 1988). The mere fact that references can be combined does not render the resultant combination obvious unless *the prior art* also suggests the desirability of the combination. In re Fritch 23 USPQ2d 1780 (CAFC 1992).

The Examiner has failed to identify any evidence of motivation in the cited art to make the claimed invention. In the instant case, in particular, Vaios specifically teaches away from the surveillance systems and methods of the invention in that Vaios indicates that a motion sensor is needed to determine when to transmit surveillance image data.

Furthermore, Garland is directed to an entirely different field (encoding of still images such as X-ray images) from video surveillance as discussed in Vaios. Thus, not only has the Examiner failed to show evidence of motivation *of the ordinarily skilled artisan*, but the cited art indicates teaches artisans in a different direction.

The Examiner is respectfully reminded that it the Examiner's burden to provide such evidence in the cited art. In re Jones 21 USPQ2d 1941, 1944 (CAFC 1992). In the absence of the Examiner clearly identifying such a suggestion and factual foundation in the cited art for (1) the combination of the cited art, and (2) a reasonable expectation of success that the combination would function correctly, Applicants respectfully submit that the Examiner has failed to make out a prima facie allegation of obviousness under 35 U.S.C. §103.

Applicants have hereby presented sufficient grounds for overcoming each of the Examiner's rejection. The failure to cite any additional grounds is not to be taken as an admission of any position taken by the Examiner. In view of the foregoing, Applicants believes all claims now pending in this application are in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 769-3508.

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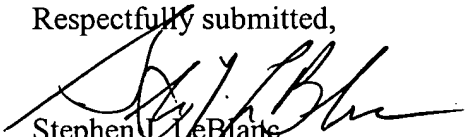
Respectfully submitted,



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